

**LEGISLATIVE SERVICES AGENCY
OFFICE OF FISCAL AND MANAGEMENT ANALYSIS**

200 W. Washington, Suite 301
Indianapolis, IN 46204
(317) 233-0696
<http://www.in.gov/legislative>

FISCAL IMPACT STATEMENT

LS 7760

BILL NUMBER: SB 434

NOTE PREPARED: Jan 14, 2003

BILL AMENDED:

SUBJECT: Contract Carriers Transporting Railroad Employees.

FIRST AUTHOR: Sen. Landske

FIRST SPONSOR:

BILL STATUS: As Introduced

FUNDS AFFECTED: X GENERAL
X DEDICATED
FEDERAL

IMPACT: State & Local

Summary of Legislation: The bill permits the State Revenue Motor Carrier Services Division to adopt rules concerning the statute that regulates contract carriers who transport railroad employees. It makes violation of the statute a Class C infraction.

Effective Date: July 1, 2003.

Explanation of State Expenditures: Under current law, a contract carrier must limit the number of service hours by a driver who transports railroad employees. The bill would allow the Motor Carrier Services Division of the Department of State Revenue to adopt rules to implement and administer this provision. To the extent that the Division currently regulates contract carriers, adopting rules could be accomplished with the existing resources of the Department. The Division is funded through the Motor Carrier Regulation Fund, a dedicated fund.

Explanation of State Revenues: Additionally, the bill provides for a Class C infraction for violation of the chapter. If additional court cases occur, revenue to the state General Fund may increase if infraction judgments and court fees are collected. The maximum judgment for a Class C infraction is \$500, which is deposited in the state General Fund. If court actions are filed and a judgment is entered, a court fee of \$70 would be assessed. 70% of the court fee would be deposited in the state General Fund if the case is filed in a court of record or 55% if the case is filed in a city or town court.

Explanation of Local Expenditures:

Explanation of Local Revenues: *Class C Infraction:* If additional court actions are filed and a judgment

is entered, local governments would receive revenue from the following sources: (1) The county general fund would receive 27% of the \$70 court fee that is assessed in a court of record. Cities and towns maintaining a law enforcement agency that prosecutes at least 50% of its ordinance violations in a court of record may receive 3% of court fees. If the case is filed in a city or town court, 20% of the court fee would be deposited in the county general fund and 25% would be deposited in the city or town general fund. (2) A \$3 fee would be assessed and, if collected, would be deposited into the county law enforcement continuing education fund. (3) A \$2 jury fee is assessed and, if collected, would be deposited into the county user fee fund to supplement the compensation of jury members.

State Agencies Affected: Motor Carrier Services Division of the Department of State Revenue.

Local Agencies Affected: Trial courts, local law enforcement agencies.

Information Sources:

Fiscal Analyst: Karen Firestone, 317-234-2106